

TOWNSHIP OF CLINTON  
SPECIAL COUNCIL MEETING  
January 8, 2013

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**CALL TO ORDER:**

Mayor Cimei called the meeting to order at 7:30 P.M.

**OPEN PUBLIC MEETINGS ACT STATEMENT:** Mayor Cimei gave the statement of adequate notice. The annual meeting notice is on file in the Office of the Municipal Clerk for public inspection.

**ROLL CALL:**

Councilman Vos	Present
Councilman Lazarus	Present
Councilman Imbriaco	Present
Council President Marra	Present (arr. 7:34)
Mayor Cimei	Present
Marvin Joss, Administrator	Present
Kristina P. Hadiner, Township Attorney	Present
Donna Burham Twp. Clerk	Present
Mary Beth Lonergan, Clarke Caton Hintz	Present
Michael Sullivan, Clarke Caton Hintz	Present

**Discussion:**

**PUBLIC COMMENT:**

Joanne Harris, 43 West Street, asked the Mayor to comment on the affordable housing plan so the public can understand the plan and frame its questions.

Mayor Cimei introduced Mary Beth Lonergan and Michael Sullivan of Clarke Caton Hintz, the Township's planning consultants, and asked them to explain the affordable housing plan.

Mayor Cimei gave a history of the Old Municipal Building and discussed the deterioration sustained over the years. The Mayor indicated the building has not been used for a municipal building since 1995, and the Annandale Fire Company moved into its new building in 2002. The building has not been used since. The building was included in the affordable housing plan in 2007, and was planned for senior housing at that time. The Mayor discussed the various locations considered for affordable housing, namely, Windy Acres with additional senior units at West Street. The Mayor indicated two requests for proposals were advertised, with little response to the first and no response to the second.

The Mayor discussed the fact that to build these senior units on West Street will require a sizeable municipal financial contribution. Mayor Cimei explained the building sustained some damage during Hurricane Sandy as well.

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Mayor Cimei discussed sources of funding and grants.

Council President Marra stated the Township tried to move forward in 2009 and worked with a developer. Then the Governor abolished COAH, and the State did not act on our submitted COAH plan, which has caused concern, and the developers have not moved forward in this uncertain market.

Ms. Harris questioned the disbanding of COAH. Ms. Hadinger explained the obligation to provide affordable housing has been determined by the courts to be constitutional, such that whether COAH is disbanded and another agency takes over or COAH remains, the Township will still have to address affordable housing.

Mary Beth Lonergan stated the Fox Seals building helped to satisfy the Township's 1<sup>st</sup> and 2<sup>nd</sup> prior round obligation; not the current one (round 3). A 2010 appellate court decision stated the municipalities' prior round obligations remain and must be addressed.

Ms. Lonergan indicated a Request for Proposals was issued, with no responses being received. Developers gave feedback that funding for building 14 units for seniors was too small, and included no room for an onsite manager. Clarke Caton Hintz was requested to see if special needs housing would be a good fit.

Mr. Sullivan, Ms. Lonergan and a member of Council met with Dawn Apgar, Deputy Director of Human Services at the State to discuss special needs housing and group homes.

The reason the issue is being brought to the public now is because the township became aware of a new State funding source that has a February application deadline.

The Governing Body needs to decide if the Fox Seals site makes sense for a small special needs facility, which would require demolishing the building and building 2 single family homes, with four bedrooms each. There is a potential to change the affordable housing plan and apply for special needs State financing.

Ms. Longergan provided more detailed information, indicating the funding would be fore \$250K per four bedroom single family home. This is a larger amount than is normally available, which is \$100,000. Council must weigh whether they are comfortable with this alternative in the housing plan.

Given the current state of financing, any developer would require the Township to donate the land. The site plan would also have to be amended.

Mr. Joss indicated this could be done here for a very small contribution from the Township; if the Township were to build senior housing on the site the total municipal cost could be possibly 2 million dollars.

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Mayor Cimei asked for a specific definition of special needs. Mary Beth stated it could be physical challenges or a mental/cognitive disability.

Mr. Joss stated there would be a full-time caretaker at all times.

Mr. Sullivan discussed the physical changes to the site, explaining that, rather than having one large building, there would be two smaller homes, built to be consistent with the surrounding homes and architecture.

Councilman Vos asked about restrictions regarding the historic portion of the building. Mr. Sullivan outlined the State Historic Preservation Office requirements to demolish the building. Councilman Vos asked if there is a possibility of preserving or integrating the historic part into the project.

Councilman Vos stated the Historic Preservation Commission should be solicited for input.

Mayor Cimei expressed concern that the building continues to decline, the Township has waited for COAH rules to be re-established and it has not happened. The Mayor explained the third round credits are not firmly established, yet the Township still has to satisfy the first and second round.

Mr. Sullivan stated this alternative is just a way to create another opportunity. At this time the Township would be only committing to exploring the opportunity, and it not obligated to proceed if it is not the best option. The Fox/Seals Building is problematic as it is in the middle of the lot, there needs to be some common area between the buildings, and building would require an elevator, greatly increasing the cost.

Mr. Imbriaco asked if the Township could request a pro forma, one showing these two houses, making the use of the Fox/Seals building and one that would contemplate the delivery of the site without the building. Mr. Sullivan indicated it would be more expensive to use the Fox/Seals building.

Mayor Cimei asked if the Township would have the right to determine architectural style and other design issues. Ms. Lonergan indicated these requirements would be included in a developer's agreement.

Councilman Imbriaco asked what steps are normally taken to preserve the history of a structure such as the Old Municipal Building. Mr. Sullivan explained it could be preserved through documentation, or preserving architectural pieces of the building and keeping them with the Historic Preservation Commission.

Mayor Cimei stated decisions would have to be formalized quickly. Council President Marra indicated the Council is only exploring these issues and is not obligated to anything.

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Kira Lawrence, 9 West Street, asked for an explanation of the Township's housing obligation. The Mayor explained round 3 is in front of the courts, it could go up or down, with round 2 already locked in. Ms. Lawrence asked if this is just being discussed now and it may happen in February.

Ms. Lawrence stated she does not like living across the street from an eyesore, but it is innocuous in terms of potential harm. She expressed a wish to understand the definition of "intellectually impaired" individuals before she could be comfortable with this possibility.

Ms. Lonergan stated there are 5 or 6 special needs housing units in Clinton Township and most don't realize they are there, because they are good neighbors. These units are managed with 24 hour supervision, and if there are any issues, they can be addressed by the provider.

Councilman Imbriaco stated we are talking about disabled persons who have special needs who require assistance to be productive in society. Ms. Lawrence asked if we are talking about persons with Downs' Syndrome or other disabilities.

Councilman Lazarus explained individuals with Downs', autism, etc. are some examples of the citizens who would live in the housing. Mayor Cimei indicated these are not people with criminal records. The Mayor said there are certain organizations that operate in a particular niche.

The Mayor reiterated the Council is not making a decision that commits the Township to anything and there are many more questions to be answered.

Councilman Imbriaco stated the State's website included in the special needs definition, such individuals with intellectual, autism, epilepsy, traumatic brain injury, cerebral palsy, etc. People with these types of disabilities are able to function productively.

Linda Luizza, 43 West Street, asked if the Township would always have control as to who would be living in these units. Ms. Lonergan indicated the Township would retain control, through a developer's agreement and a deed restriction.

Ms. Luizza expressed concern regarding traffic on Beaver Avenue. The Mayor stated the Township has worked on Beaver Avenue for two decades, but it is a County Road with no township jurisdiction. Councilman Lazarus stated it is the busiest County Road in Hunterdon County.

Ms. Luizza asked if the building is demolished why can't a park be built there. Mayor Cimei stated there are no funds for such a use. Mr. Imbriaco indicated if we take that property of the housing plan is could subject the Township to unfortunate consequences. Councilman Imbriaco further stated Council is trying to do this with the least burden on the taxpayers.

Laura Irons, 28 West Street, spoke about the group home on Leigh Street in the Town of Clinton. She gave feedback that its residents were wonderful neighbors.

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Mr. Luizza, West Street, said something must be done with the building, and a facility that the Township controls is ok as long as we have a feedback mechanism. He mentioned HUD and the Veterans' Administration is already subsidizing rentals in the Village of Annandale. He asked if these are part of the housing obligation. Ms. Hadinger indicated in order to be recognized by COAH the units must be deed restricted.

Mr. Luizza indicated there are special needs people working in the community already. He asked Council to be sure control mechanisms are in place.

Council President Marra left the meeting at 9:00 p.m.

Dennis Healy, 18 West Street, asked if the Township have sole discretion of the selection of provider. Ms. Lonergan said there are enough providers to give the governing body a good selection.

Mr. Healy asked if residents would have the opportunity to interview the providers, and wanted to clarify there will be 24 hour supervision. Mr. Joss indicated there will be supervision, with someone on site at all times.

Mr. Healy asked for a special meeting so the community can interview them. Councilman Imbriaco indicated Council will be vetting the provider, and they must be someone with outstanding credentials and trustworthiness.

Jody Lebbing, 35 West Street, asked if these individuals were ever left unsupervised if a supervisor can't get to work. Mr. Joss indicated he did not know the answer. Ms. Lebbing indicated there are many small children in the Village. Ms. Lebbing talked about the business of the street. She expressed her concern regarding the residents to be selected to live in this project and asked what mechanism exists if an individual becomes a problem. Ms. Lebbing asked if a problem individual could be removed. Ms. Lonergan explained the process used to deal with any issues.

The Mayor stated that sometimes there are issues in neighborhoods and there is no mechanism for correction. This project would have state oversight and a monitoring system.

Councilman Imbriaco stated Council receives police reports regularly and during times of economic stress domestic violence increases noticeably; however he has never seen a police response to a special needs home.

Ms. Lebbing asked the Council to interview the neighbors of the existing group homes in the Township. She also asked if these individuals would be able to take a walk unsupervised. Ms. Lebbing stated it is a concern to have these people walking around town with many small children.

Mayor Cimei indicated the Township wants a triple A rated provider and the provider would deal with these issues.

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Ms. Hadinger stated that under the Municipal Land Use Law, these residences are allowed in any residential zone. The Mayor stated if there were issues at all Council would have been informed.

Ms. Lebbing asked why the Township does not put these units on another Township owned sites, such as the property on Allerton Road. Mayor Cimei indicated the Township does not own that property. Ms. Lonergan indicated there would be senior and other affordable housing on the Windy Acres site.

Ms. Lebbing discussed the deterioration of the building and Councilman Imbriaco explained the Township has very limited financial resources. Ms. Harris asked if there is an ability to demolish the building. Ms. Hadinger explained the State Historic Preservation Office will not give an approval quickly.

Ms. Lebbing discussed parking for the Annandale Reformed Church. Mr. Imbriaco explained under the original concept the church would have lost almost all the parking. Under the proposed plan, most of the parking for the church would be retained.

Mary Ann Brosnan, 1 West Street, commented the Township does not take good care of old buildings, and she felt accelerating the process is a very positive thing, however, she is concerned about what will happen if this project does not happen. She asked which phase of COAH this is addressing and Ms. Lonergan explained this addresses rounds one and two.

Ms. Lonergan discussed options for whether the owner of the property would be the provider such as Hunterdon Arc, or the developer. She further explained the deed restrictions and the requirements to be contained in a developers' agreement.

Mitsa Lasky, 5 West Street, asked if this plan falls through would there be a plan for a park, or do we have to do affordable housing? The Mayor indicated we need the COAH units, and Councilman Lazarus explained he thought it unlikely the State would allow the Township to demolish the building for a park.

A short discussion of the MEWS was held.

Mayor Cimei suggested for the next meeting there would be a resolution to authorize Clarke Caton Hintz to prepare a submission to SHPO for demolition of the building.

There being no further discussion, Councilman Vos offered a motion to adjourn at 10:00 p.m. Seconded by Councilman Imbriaco. A voice vote was called. Motion carried.

ATTEST:

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Donna J. Burham, Township Clerk

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A. Kevin Cimei, Mayor

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Adopted: February 13, 2013

ATTEST:

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Donna J. Burham, Township Clerk

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A. Kevin Cimei, Mayor

Adopted: February 13, 2013